

Express Mail No.: EL 477 037 277 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Xu et al.

Confirmation No.: 1781

Application No.: 09/026,459

Group Art Unit: 1632

Filed: February 19, 1998

Examiner: R. R. Shukla

For: MODIFIED RETINOBLASTOMA
TUMOR SUPPRESSOR PROTEINS

Attorney Docket No.: 8660-025

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AMENDMENT FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying Amendment under 37 C.F.R. § 1.116 of even date herewith concerning the above-identified application has been estimated to be \$-251.00-.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE	OR	RATE ADDIT. FEE
TOTAL	*	46	MINUS	**	43	3	X 9	\$27.00	X 18 \$
INDEP.	*	8	MINUS	***	6	2	X 42	\$84.00	X 84 \$
□ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+140.00	\$140.00	+280	\$
						TOTAL	\$251.00	OR	TOTAL \$
						ADDIT. FEE	\$251.00		\$

Please charge any required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.
A copy of this sheet is enclosed.

Respectfully submitted,

Date: October 10, 2002Brian M. Poissant 28,462
Brian M. Poissant (Reg. No.)By: William Thomann 40,203
William Thomann (Reg. No.)PENNIE & EDMONDS LLP
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10-11-02

#25 RCE / \$1632

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
 See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No.	EL 477 037 277 US
Application Number	09/026,459
Filing Date	February 19, 1998
First Named Inventor	Hong-Ji Xu
Group Art Unit	1632
Examiner Name	R. Shukla
Attorney Docket Number	8660-025

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)
 (Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
- b. ☒ Enclosed
 - i. ☒ Amendment under 37 C.F.R. § 1.116
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Second Supplemental Information Disclosure Statement (IDS)
 - iv. ☒ Other Amendment Fee Transmittal Sheet; Petition for Extension of Time for Response for three months; List of References Cited; and a copy of each of references A4 and C38 to C49.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 370.00 (small entity)
 - ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ ____ for a ____ month extension, the request for which is being made herewith
 - iii. ☐ Other _____
- b. ☐ Check in the amount of \$ ____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Brian M. Poissant	Registration No. (Attorney/Agent)	28,462
Signature	<i>Brian M. Poissant</i>	Date	October 10, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or by facsimile transmitted to fax no. 1-703-____ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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